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March 15, 2006

Via Electronic Filing

Ms. Marlene H. Dortch
 Secretary
 Federal Communications Commission
 445 12th Street, SW
 Washington, DC 20554

**Re: CC Docket No. 01-92
 Notice of Ex Parte Presentation**

Dear Ms. Dortch:

Pursuant to 47 CFR § 1.1206(b), this letter is to report that Ron Gavillet of Neutral Tandem, Inc. and the undersigned made two oral *ex parte* presentations yesterday regarding the above-referenced docket. The first presentation was to Ian Dillner, legal advisor to Chairman Martin; and the second was to Randy Clarke, Donald Stockdale, Steven Morris, and Jay Atkinson of the Wireline Competition Bureau and Peter Trachtenberg of the Wireless Telecommunications Bureau.

The purpose of the presentations was to comment on the proposal submitted in this docket by the United States Telecom Association (“USTelecom”), dated February 16, 2006, for rules to address the issue of “phantom traffic.” Neutral Tandem expressed its general support for the approach proposed by USTelecom, subject to clarification..

Neutral Tandem expressed concern that one rule proposed by USTelecom, mandating that calls must be routed according to the Local Exchange Routing Guide (LERG) unless otherwise agreed pursuant to a tariff or contract, might result in unintended consequences unless clarified. If the Commission adopts this proposed rule, it should make clear that the rule is not intended to sanction any discrimination by incumbent local exchange carriers against competitive tandem providers. In particular, it should be made clear that (i) a competitive tandem provider can be designated as homing tandem for a particular switch in the LERG and (ii) incumbent tandems should not be permitted to discriminate against this competitive tandem in interconnection or routing. Further, to the extent that a competitive tandem is used as a non-LERG routing switch (which USTelecom’s proposal would expressly permit pursuant to contract or tariff), incumbent LECs should not be

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permitted to use this non-LENG routing as an excuse to refuse or delay interconnection, as long as the competitive tandem provider complies with the phantom traffic rules.

The attached slides were presented during the meeting; in addition, during the second meeting, the attached excerpt from the NANPA CO Code guidelines was presented, which states that “[i]t is generally, *but not always*, the incumbent local exchange carrier that owns the homing tandem for a given geographic area” (emphasis added).

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Very truly yours,

Electronically signed

Russell M. Blau

cc: Ian Dillner
Tom Navin
Marcus Maher
Randy Clarke
Donald Stockdale
Steve Morris
Jay Atkinson
Peter Trachtenberg
Ron Gavillet, Esq.